

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

ORION HEALTHCORP, INC.¹,

Debtors.

HOWARD M. EHRENBERG IN HIS CAPACITY
AS LIQUIDATING TRUSTEE OF ORION
HEALTHCORP, INC., ET AL.,

Plaintiff,

v.

ARVIND WALIA; NIKNIM MANAGEMENT,
INC.,

Defendants.

: Chapter 11

: Case No. 18-71748 (AST)

: (Jointly Administered)

: Adv. Pro. No. 20-08049 (AST)

**AFFIDAVIT OF JEFFREY P. NOLAN
IN SUPPORT OF OPPOSITION TO MOTION OF DEFENDANTS
ARVIND WALIA AND NIKNIM MANAGEMENT, INC. FOR
PARTIAL SUMMARY JUDGMENT DISMISSING CLAIMS
ASSERTED IN THE COMPLAINT UNDER 11 U.S.C. §544**

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Orion Healthcorp, Inc. (7246); Constellation Healthcare Technologies, Inc. (0135); NEMS Acquisition, LLC (7378); Northeast Medical Solutions, LLC (2703); NEMS West Virginia, LLC (unknown); Physicians Practice Plus Holdings, LLC (6100); Physicians Practice Plus, LLC (4122); Medical Billing Services, Inc. (2971); Rand Medical Billing, Inc. (7887); RMI Physician Services Corporation (7239); Western Skies Practice Management, Inc. (1904); Integrated Physician Solutions, Inc. (0543); NYNM Acquisition, LLC (unknown) Northstar FHA, LLC (unknown); Northstar First Health, LLC (unknown); Vachette Business Services, Ltd. (4672); Phoenix Health, LLC (0856); MDRX Medical Billing, LLC (5410); VEGA Medical Professionals, LLC (1055); Allegiance Consulting Associates, LLC (7291); Allegiance Billing & Consulting, LLC (7141); New York Network Management, LLC (7168). The corporate headquarters and the mailing address for the Debtors listed above is 1715 Route 35 North, Suite 303, Middletown, NJ 07748.

STATE OF CALIFORNIA)
)
 COUNTY OF LOS ANGELES) ss.:

JEFFREY P. NOLAN, being duly sworn, deposes and says:

1. I am an attorney at law duly licensed to practice before all courts in the State of California. I am an attorney with the law firm of Pachulski Stang Ziehl & Jones LLP, attorneys of record for Plaintiff, Howard M. Ehrenberg in his capacity as Liquidating Trustee of Orion Healthcorp, Inc., *et al.*, for the estates of the above-captioned Debtors, counsel of record in this adversary proceeding. The facts stated herein are of my own personal knowledge, or made known to me from a review of the files and pleadings in this action which are maintained in the ordinary course of business. If called upon as a witness to any facts set forth herein, I could and would competently testify thereto.

2. Attached hereto as **Exhibit 8** is a true and correct copy of Proof of Claim of John G. McBride attaching the Final Judgment which was produced by Plaintiff in the litigation as evidenced by the bate-stamp numbers Ehren-Walia 003171-3178.

3. Attached hereto as **Exhibit 9** is a true and correct copy of Schedule 10 which was produced by Plaintiff in the litigation as evidenced by the bate-stamp numbers Ehren-Walia 00907-910.

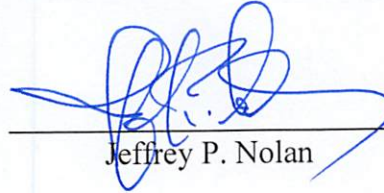
4. Attached hereto as **Exhibit 10** is a true and correct copy of Credit Agreement with Bank of America which was produced by Plaintiff in the litigation as evidenced by the bate-stamp numbers Ehren-Walia 003504-3784.

5. Attached hereto as **Exhibit 11** is a true and correct copy of Debtors' Third Amended Joint Plan of Liquidation Pursuant to Chapter 11 of the Bankruptcy Code which was

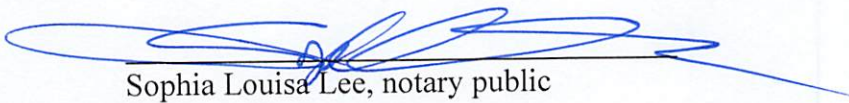
produced by Plaintiff in the litigation as evidenced by the bate-stamp numbers Ehren-Walia
003404-3463.

I declare under penalty of perjury under the laws of the United States of America
that the foregoing is true and correct.

Executed this 17th day of February, 2023, at Los Angeles, California.


Jeffrey P. Nolan

SWORN TO AND SUBSCRIBED before me this
17th day of February, 2023.


Sophia Louisa Lee, notary public

